

ZB# 75-11

Gasland, Inc.

(no SBL given)

75-11- Hasland -
Young, Pat / Salisbury

Public Hearing ~~5/11/75~~
8 p.m.

June 9th -
all fees paid

Variance granted to
Gasland, Inc.
for area & sign
on this
9th day of June, 1975.
Filed the
16th day of July, 1975.
~~on~~
at 3: P.M..

Pat Delio,
Secy.

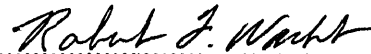
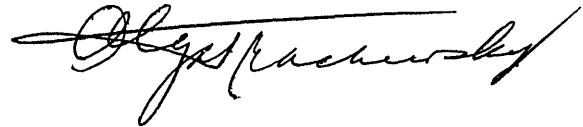
Legal Notice
PUBLIC NOTICE OF
HEARING BEFORE THE
ZONING BOARD OF APPEALS
PLEASE TAKE NOTICE that the
Zoning Board of Appeals of the Town
of New Windsor, New York will hold
a public hearing pursuant to Section
48-33 A of the Zoning Ordinance on
the following proposition:
Appeal No. 11 Request of
Gasland, Inc. for a Variance of the
regulations of the Zoning Ordinance
to permit the redesign and refurb-
ishing of the existing lot and struc-
ture thereon, being a Variance of Ar-
ticle IV, Section 48-14, for property
owned by him situated as follows:
Corner of New Temple Hill Road and
Route 32, Town of New Windsor,
Orange County, New York.
SAID HEARING will take place on
the 9th day of June, 1975, at the New
Windsor Town Hall, 555 Union
Avenue, New Windsor, N.Y. beginn-
ing at 8:30 o'clock P.M.

Theodore Jorgsorf
Chairman
By Patricia Dello, Secy
May, 31

State of New York
County of Orange, ss:

Olga Trachewsky , being duly sworn deposes and
she
says that ~~he is~~ Principal Clerk..... of Newburgh-
Beacon News Co., Inc., Publisher of The Evening News.
a daily newspaper published and of general circulation in
the Counties of Orange and Dutchess, and that the notice
of which the annexed is a true copy was published
One Time
in said newspaper, commencing on the.....31st.....day of
May.....A.D., 1975 , and ending on
the31st.... day ofMay..... A.D., 1975

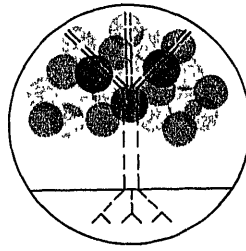
Subscribed and sworn to before me this
.....2nd..... day of.....June..... 19..75.



.....
Notary Public of the State of New York, County of Orange.
MY COMMISSION EXPIRES MARCH 30, 1976

Department of Planning

Peter Garrison, AIP, Commissioner
Edwin J. Garling, AIP, Deputy Commissioner



The County Building
Goshen, New York 10924
(914) 294-5151

County of Orange

Louis V. Mills, County Executive

June 18, 1975

Mr. Theodore Jargstorf, Chairman
New Windsor Zoning Board of Appeals
% Patricia Delio, Secretary
Franklin Avenue
New Windsor, New York 12550

Re: Area Variances - Gasland
Route 32 and Temple Hill Rd.

Dear Mr. Jargstorf:

Our office is in receipt of the above amended application submitted in accordance with the provisions of Section 239, 1 and m, Article 12-B of the General Municipal Law of the State of New York.

We have no objection to the requests and return the matter for final determination by your Board.

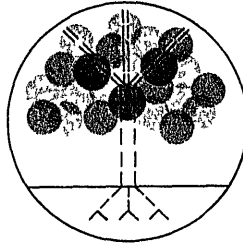
Very truly yours,

Peter Garrison
Peter Garrison
Commissioner of Planning

PG:mj
Enclosure
Reviewed by:
Joel Shaw
Sr. Planner

Department of Planning

Peter Garrison, A I P, Commissioner
Edwin J. Garling, A I P, Deputy Commissioner



The County Building
Goshen, New York 10924
(914) 294-5151

County of Orange

Louis V. Mills, County Executive

June 9, 1975

Mr. Theodore Jargstorf, Chairman
New Windsor Zoning Board of Appeals
c/o Mrs. Patricia Delio, Secretary
Franklin Avenue
New Windsor, New York 12550

RE: Variance - Gasland
Route 32 & Temple Hill Road
Our File No. NWT 75-5-M

Dear Mr. Jargstorf:

We recently spoke with Gasland's attorney, R. Keith Salisbury, and have received an additional copy of the application pending before your Board. As indicated in our previous letter, certain items requested by the applicant may or may not be needed since the application was filed prior to the adoption of a new Zoning Local Law. This should be resolved.

We were informed by Mr. Salisbury that the relief requested is for area only, and not use, and that further reviews of the matter will follow, when and if your Board approves the request. If such is the case and the questions to be resolved relate to area only, then we have no objection to the request. If the application has to be resubmitted for a number of things, including use, then we would request receiving an amended application (based on the new local law) for our review.

Very truly yours,

Joel Shaw
Senior Planner

JS/bd

Adopted 12/20/05

APPLICATION FOR VARIANCE

Application No. 75-11

Date:

TO THE ZONING BOARD OF APPEALS OF THE TOWN OF NEW WINDSOR, NEW YORK

I (We) GASLAND, INC. of 622 State Street
(Street & Number)
Springfield Massachusetts HEREBY MAKE
(State)

APPLICATION FOR A VARIANCE:

- A. Location of the Property Intersection of New Temple Hill Road & NYS Rt. 32 (GI
(Street & Number) (Zone)
- B. Provision of the Zoning Ordinance Applicable: (Indicate the article, section, sub-section and paragraph of the Zoning Ordinance applicable, by number. Do not quote the ordinance.) Article IV, Sec. 48-14, Article VII Sec. 48-25
C and/or D

C. NOTE: NECESSARY FINDINGS: Before any Variance is granted, the Zoning Board of Appeals must find all of the following conditions to be present:

1. Conditions and circumstances are unique to the applicant's land, structure or building and do not apply to the neighboring lands, structures or buildings in the same zone because: The subject lot and building thereon has been utilized as a gasoline service station for a considerable period of time prior to adoption of the existing zoning ordinance which rendered the lot sub-standard. The existing structure on the lot is now in need of repair and redesign in order to preserve the aesthetic as well as efficient economic use of the premises.
2. Strict application of the provisions of this ordinance would deprive the applicant of a reasonable use of the land, structure or building in a manner equivalent to the use permitted to be made by other owners of their neighboring lands, structures or buildings in the same zone because: Three other gasoline service stations are located on the other properties constituting the subject intersection and each of them have been re-furbished and/or redesigned in recent years, so as to enhance their public image and efficiency.
3. The unique conditions and circumstances are not the result of actions taken of the applicant subsequent to the adoption of the Ordinance because: The existing structure on the instant premises has been in existence for many years prior to the adoption of the zoning ordinance and from its construction has been utilized as a gasoline service station.

23' depth

Required side yards 15/30 feet
Required Rear yard 15 feet
Floor Area Ratio

Now in the Area 15,000
Lot width 12.5
Front yard depth 40

4. Relief, if approved, will not cause substantial detriment to the public good or impair the purposes and intent of this Ordinance because The purpose of the requested release is to redesign and re-furbish the existing lot and structure thereon in such fashion as to upgrade the premises by improving their aesthetic appeal and economic efficiency.
5. Relief, if approved, will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zone because: With the exception of one corner on the "5 corner intersection" in question, there presently exists a gasoline station which has been upgraded in recent years.
- D. Describe in detail how the property is to be used and submit plans or sketches in duplicate.
- Self-service gas station (see plans annexed hereto).
- E. Application to be accompanied by two checks, one payable to the Town of New Windsor in the amount decided by the Board and the second check payable to the Secretary for taking the public hearing minutes. Applications to be returned to: Secretary of ZBA.
- F. NOTICE OF HEARING: Applicant agrees to send notice of any public hearing via registered or certified mail to all abutting land owners as required by Sec. 9.4.1. of the Ordinance.
- G. If the property in question is located within a radius of 500 ft. of an adjoining municipality, the Board should be notified. Also, have your attorney check Sec. 239 l&M of the Gen. Municipal Law to see if it applies. If so, notify the Orange County Planning Board by sending them an application.

Dated: May 23, 1975

GASLAND, INC.

BY: Guernsey, Butts & Walsh
Signature of Applicant

STATE OF NEW YORK) SS.:
COUNTY OF ORANGE)

Sworn to on this 23 day of May, 19 75.

Guernsey, Butts & Walsh
75 Washington Street
Poughkeepsie, New York 12601
Address
(914) 452-8200
Telephone Number

R. Keith Salisbury
NOTARY PUBLIC, STATE OF NEW YORK
RESIDING IN DUTCHESS COUNTY
COMMISSION EXPIRES MARCH 1976

(DO NOT WRITE IN THIS SPACE)

Application No. 75-11
Date of Hearing 6/9/75
Date of Decision 6/9/75

Date Received 5/75
Notice Published 5/31/75

DECISION:

granted - see attached decision

Public Hearing - 8:30 p.m. - Gasland. 6/9/75.

Stuart Nelson

201 Cambridge St.

M. Flusky

206 Canaan St.

Stephen Signorini

305 Chandler St. W.

Alan Tannenbaum

302 Cloverdale St.

Alan Nepey

304 " "



OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

VGR Associates,
P.O. Box 334
Lenox Hills Station
New York, New York 10021

Robin, Arthur
Box 235
Vails Gate, New York 12584

Central Hudson Gas & Electric
C/O Tax Agent
284 South Avenue
Poughkeepsie, New York 12602

Marshall, Nicholas C.
Vails Gate, New York 12584

Schoonmaker Homes, Inc.
P.O. Box 98
Vails Gate, New York 12584

Shea, Theodore C.
Vails Gate, New York 12584

Thorne, Douglas C. Inc.
P.O. Box 8
Vails Gate, New York 12584

Cacciatore, Carmine J. & Matilda
325 South Ocean Avenue
Freeport, New York

Casaccio, Paul & Virginia
RD#4 Alder Drive
New Windsor, New York 12550

Primavera, Joseph A. & Robert
Vails Gate, New York 12584

Angelo Rosmarino Enterprises
P.O. Box 392
Vails Gate, New York 12584

Grefe, Frank H. & Theresa
P.O. Box 241
Vails Gate, New York 12584

Olympia, Peter M.
16 Russell Road
Newburgh, New York 12550

Weber, George A. & Olive M.
P.O. Box 24
Vails Gate, New York 12584

Trevorah, Edward
P.O. Box 1
Vails Gate, New York 12584

GE Pension Fund Trustees of
C/O Atlantic Ref. Co.
260 South Broad st.
Philadelphia, Pa.

Franchise Realty Interstate Corp
Box 66351
AMF O'Hare Airport
Chicago, Illinois 60666

Slepoy, Herbert & Gardener, Fred
881 Knota Road
Woodmere, New York 11598

Mobil Oil Corp. NYS Marketing Di
670 White Plains Road
Scarsdale, New York 10583

Leonardo, Catherine
C/O Angeline Gruber
355 Third St.
Newburgh, New York 12550

Marshall, Maria
Box 68
Vails Gate, New York 12584



1783

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

New Windsor Ambulance Corp.
Box 25
Vails Gate, New York 12584

Christopian, Frank & Elizabeth
Box 202
Vails Gate, New York 12584

Sloan, Agnes M.
Route 94
Vails Gate, New York 12584

Grande, Nicholas
Maroney Avenue
Palisades, New York

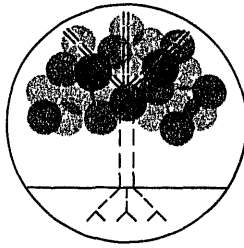
Mangini, Ida
319 58th Street
Brooklyn, New York

Respectfully submitted,

Ellsworth E. Weyant
ELLSWORTH E. WEYANT
Sole Assessor
Town of New Windsor

Department of Planning

Peter Garrison, AIP, Commissioner
Edwin J. Garling, AIP, Deputy Commissioner



The County Building
Goshen, New York 10924
(914) 294-5151

County of Orange

Louis V. Mills, County Executive

May 30, 1975

Mr. Theodore Jargstorf, Chairman
Town of New Windsor Zoning Board of Appeals
% Patricia Delio, Secretary
Franklin Avenue
New Windsor, New York 12550

Re: Variance - Gasland
Route 32 and Temple Hill Rd.

Dear Mr. Jargstorf:

In view of the recent adoption of a new zoning local law, it is our understanding that the above application for a variance is no longer necessary.

If such is not the case, please let us know so that we can complete our review of the application.

Very truly yours,

Joel Shaw
Senior Planner

JS:mj

GUERNSEY, BUTTS & WALSH

ATTORNEYS & COUNSELLORS AT LAW

75 WASHINGTON STREET

POUGHKEEPSIE, N Y 12601

(914) 452-8200

RED HOOK OFFICE
7 EAST MARKET ST
RED HOOK, N Y 12571
(914) 758-6655

RAYMOND G GUERNSEY (1878-1959)
CHARLES ALLISON BUTTS
WILLIAM J WALSH
ROBERT L OSTERTAG
~~XXXXXXXXXXXX~~
DOUGLAS F WICKS
~~XXXXXXXXXXXX~~
R KEITH SALISBURY

May 23, 1975

Ms. Patricia Delio, Secretary
New Windsor Zoning Board of Appeals
7 Franklin Avenue
New Windsor, New York 12550

RE: Gasland, Inc.

Dear Ms. Delio:

Enclosed herewith please find the following items:

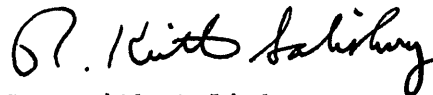
- (1) 3 copies of application
- (2) 2 copies of public hearing notice
- (3) Check payable to Town of New Windsor in sum of \$25.00.
- (4) Check payable to Patricia Delio, Secretary in sum of \$25.00.
- (5) Copy of list of property owners within five hundred feet of premises.

This matter is scheduled before the Zoning Board on June 9, 1975, so that the notice must be submitted to the newspaper for publication by May 29, 1975.

If there is anything further that you require, please advise.

Very truly yours,

GUERNSEY, BUTTS & WALSH



R. Keith Salisbury

RKS:md
Enclosures

OFFICE OF THE ~~SUPERVISOR~~ TOWN ATTORNEY

TOWN OF NEW WINDSOR

555 Union Avenue
New Windsor, New York 12550
(914) 565-8800

May 9, 1975

1768

Keith Salisbury, Esq.
Guernsey, Butts & Walsh
75 Washington Street
Poughkeepsie, New York 12601

Re: Application for variance: Gaslands

Dear Keith:

This letter will confirm our telephone conversation of Wednesday, May 7, 1975 in which I advised you that the New Windsor Zoning Board of Appeals had re-scheduled the above referenced application for a variance for Monday evening, June 9, 1975.

I look forward to seeing you that evening.

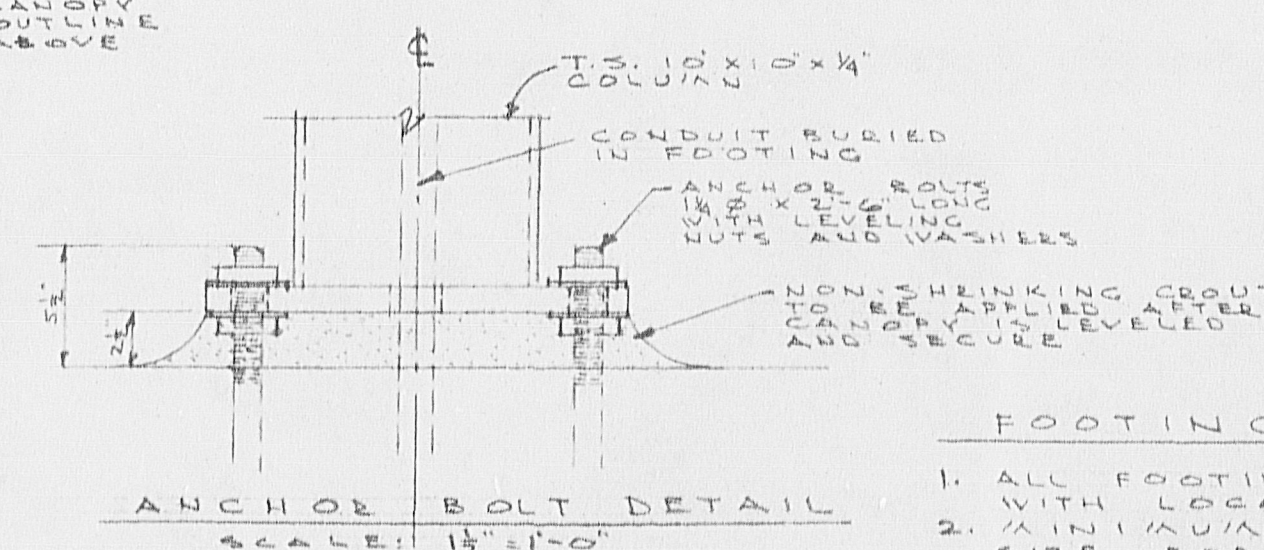
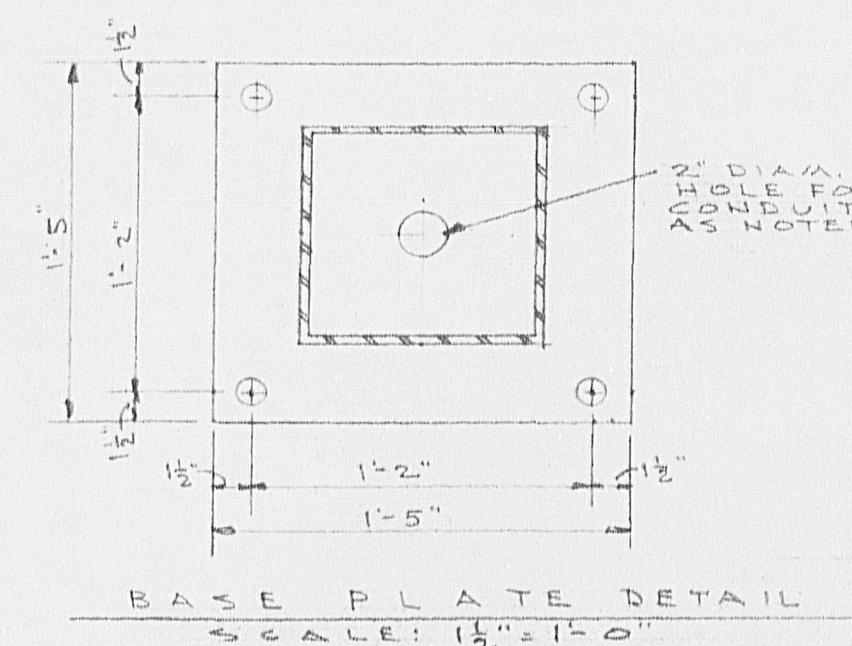
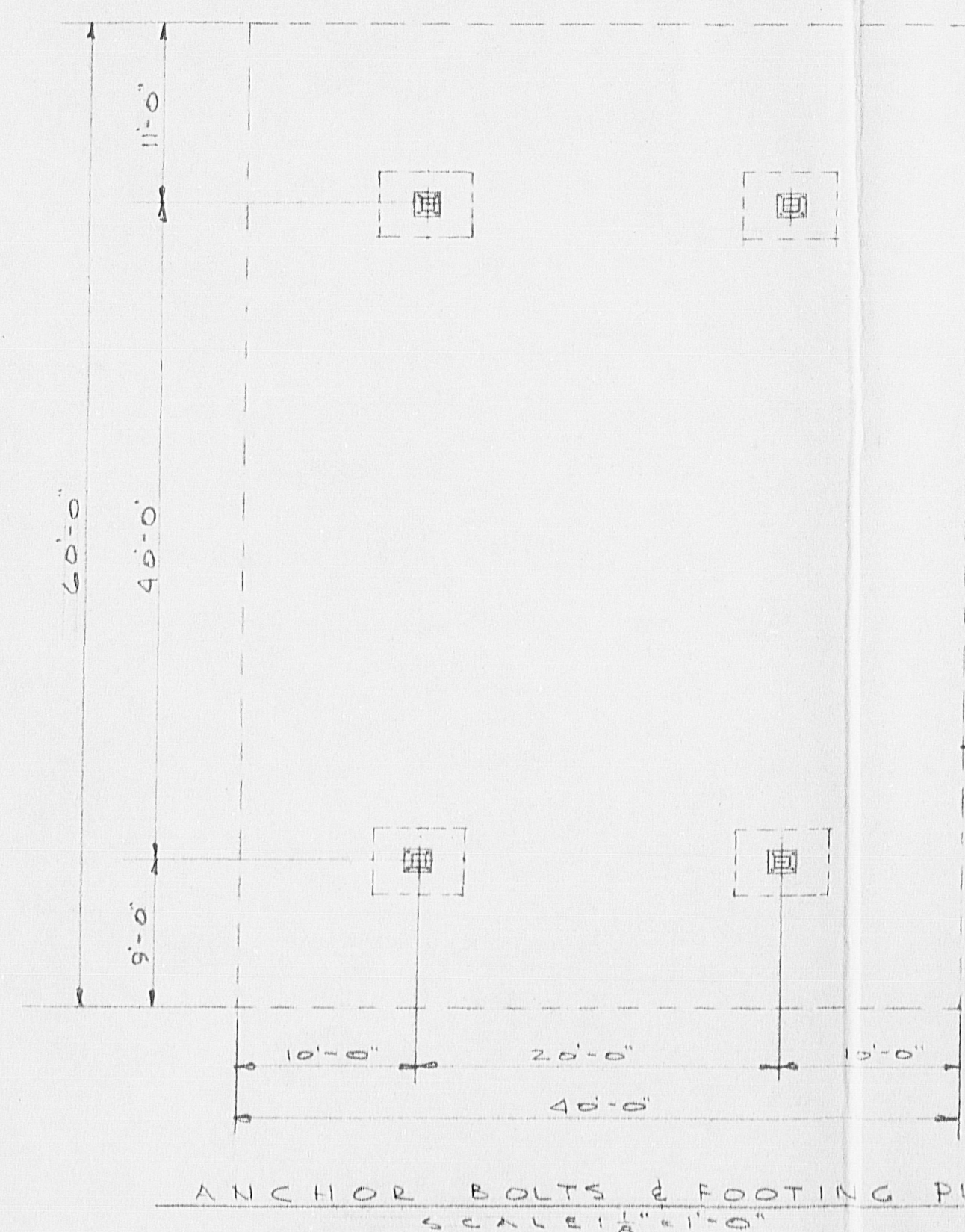
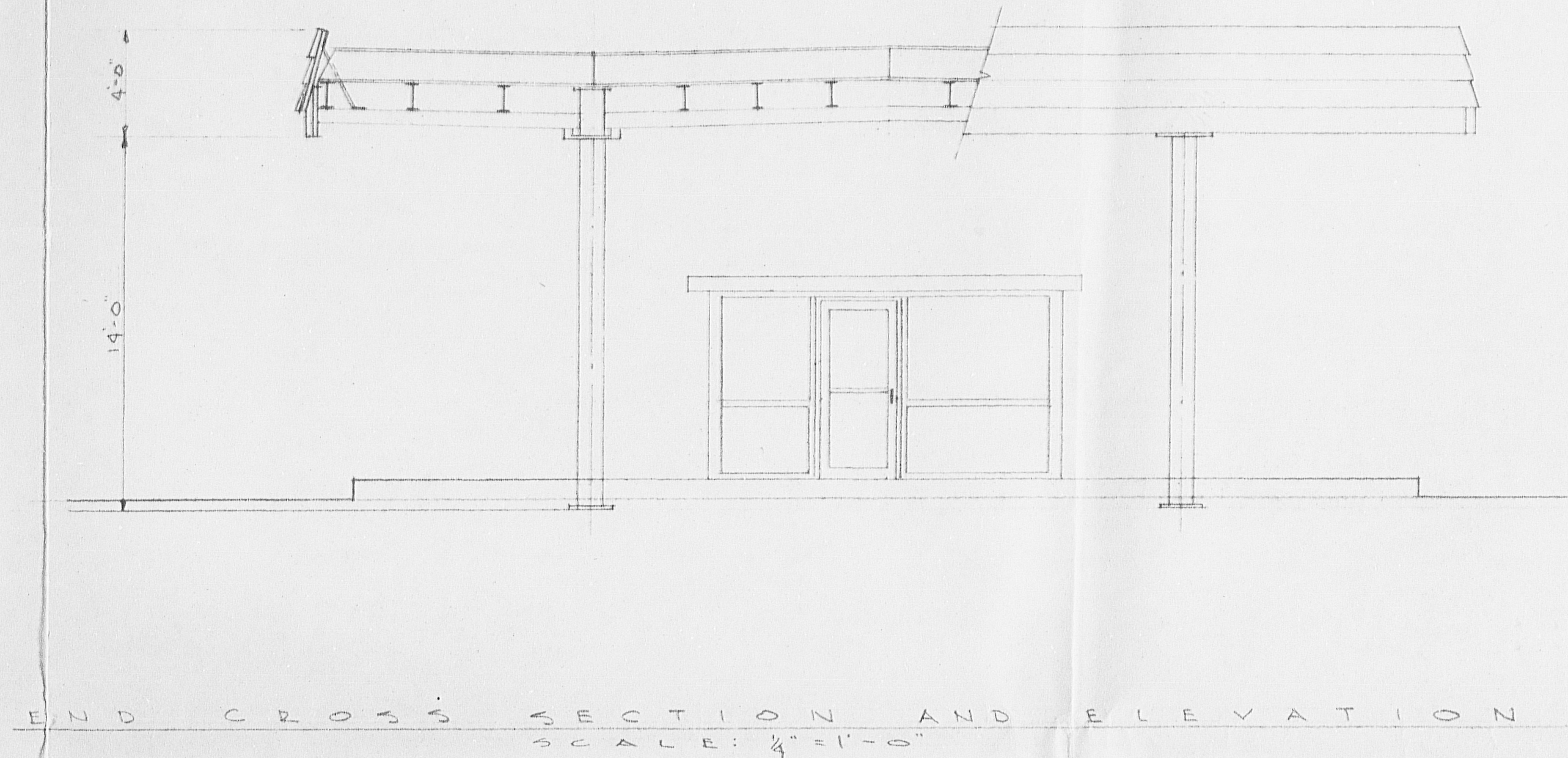
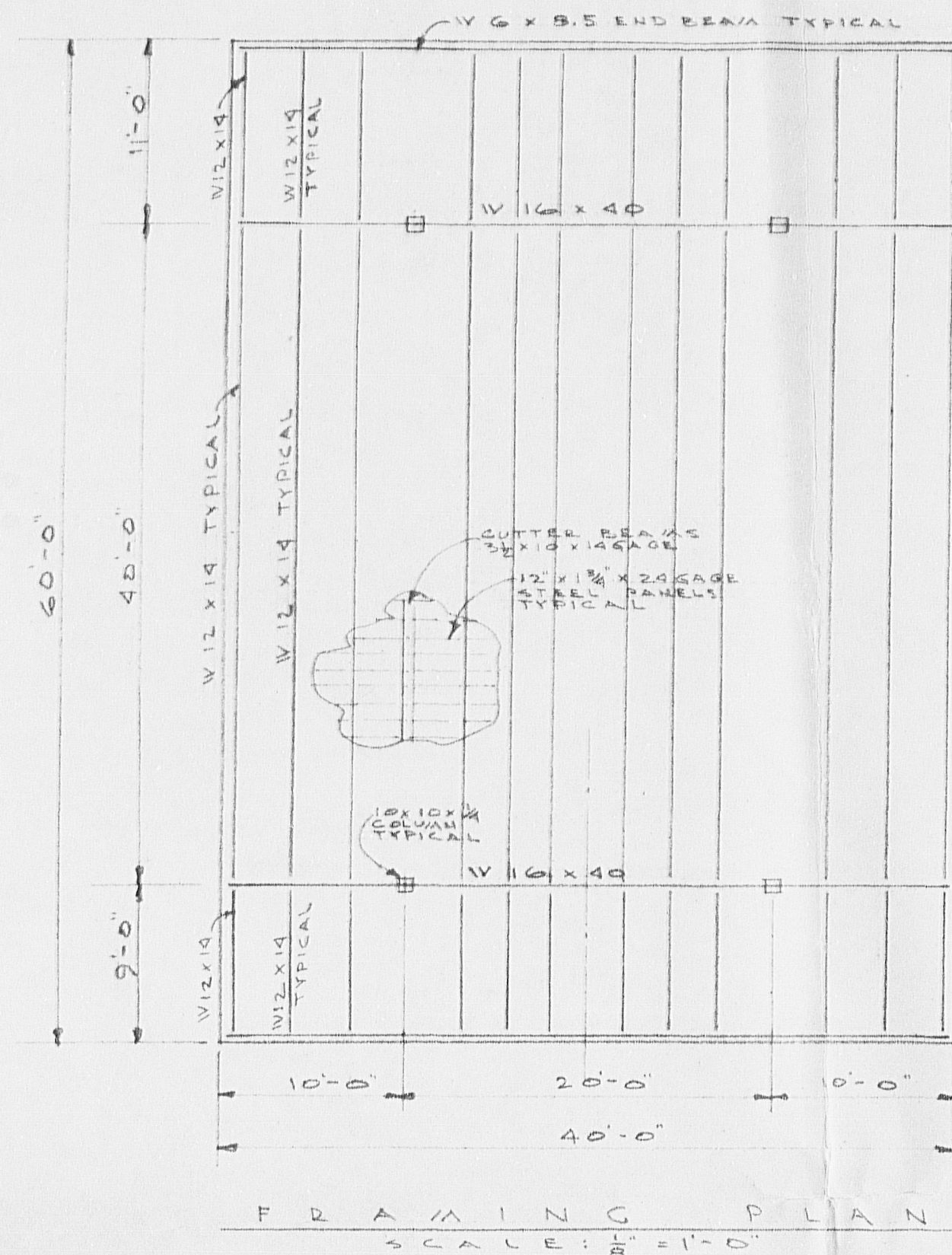
Very truly yours,



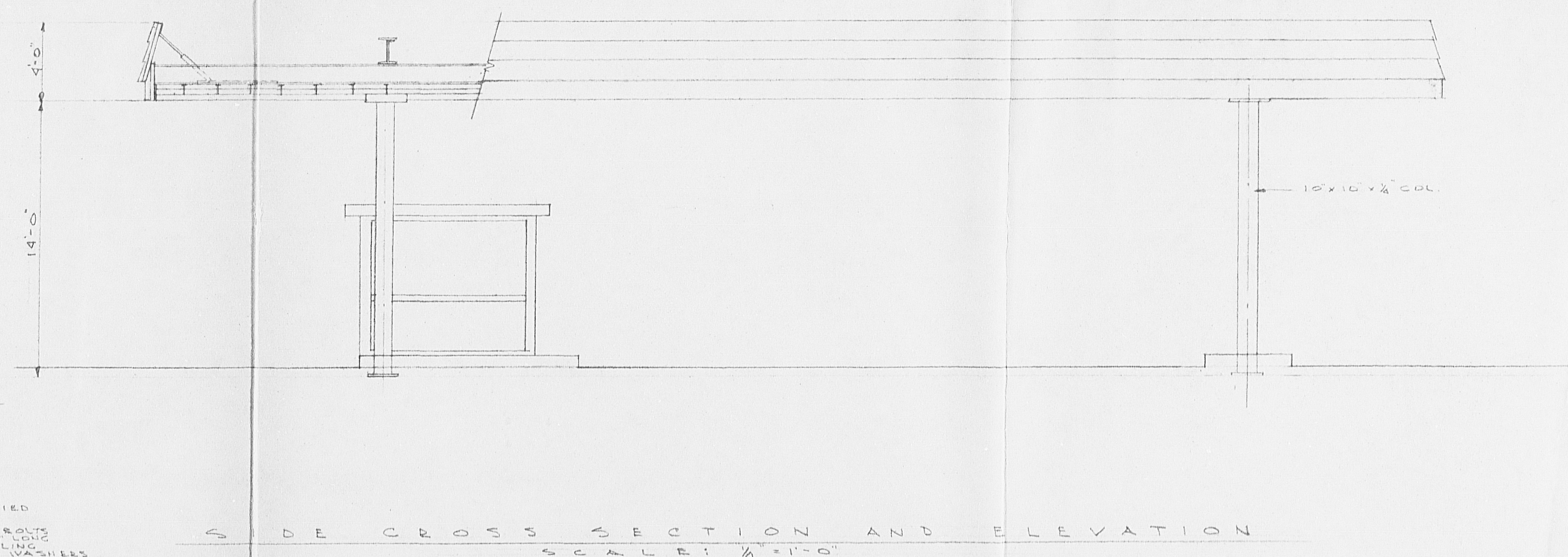
PHILIP A. CROTTY, JR.
Town Attorney

PAC/bb
cc

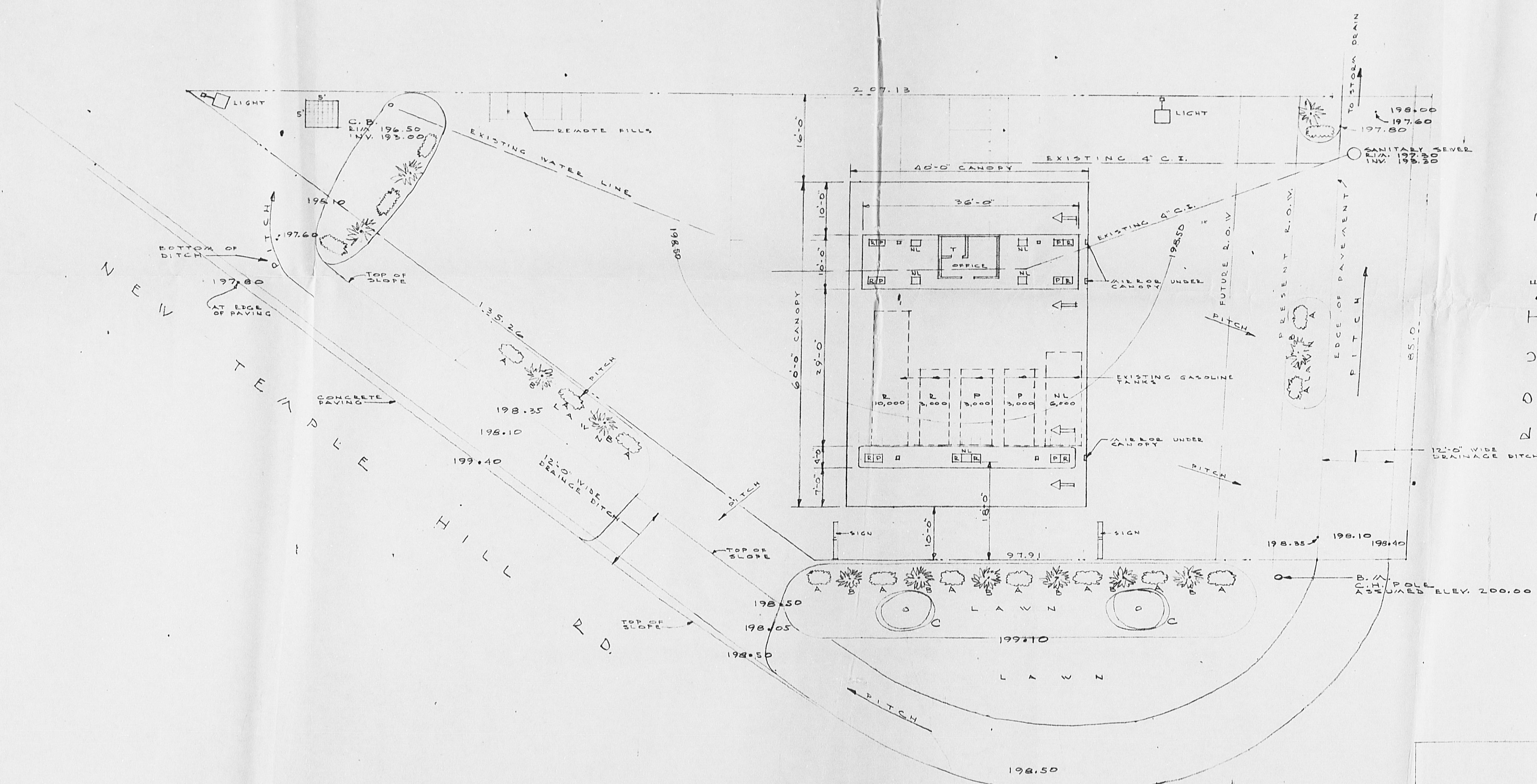
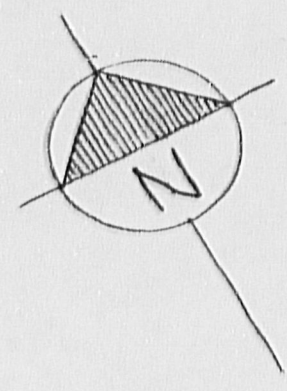
Secretary-Zoning Board of Appeals






- FOOTING NOTES
1. ALL FOOTINGS MUST BE IN ACCORDANCE WITH LOCAL BUILDING DEPARTMENT.
 2. MIN. 12" X 12" X 12" CONCRETE FOR AVERAGE SOIL CONDITIONS.
 3. IF BUILT IN AND RESTRAINED BY CONCRETE ISLANDS 4'-0" WIDE X 5'-0" LONG X 4'-0" DEEP.
 4. IF NOT: 4'-0" WIDE X 6'-0" LONG X 4'-0" DEEP.



CANOPY DETAILS			
SELF SERVICE STATION			
NEW TEMPLE HILL RD. AND ROUTE 32			
NEW WINDSOR, NEW YORK			
FOR			
GASLAND INC., SPRINGFIELD, MASS.			
DR. BY	MAX GITBERG	DRAWING	NO.
SCALE	ARCHITECT		
PROJECT	293 BRIDGE ST.		
DATE	SPRINGFIELD, MASS.		
2/26/75			



S I T E P L A N
SCALE: 1"=10'-0"

- 32
P L A N T I N G K E Y
- A  HATFIELD YEIV 30'-36" HT., 30'-36" SPREAD
 - B  HETZ JUNIPER 2'-2 1/2" HT., 24'-30" SPREAD
 - C  SUNBURST LOCUST 12'-18" CAL., 10' HT.

S I T E P L A N		
SELF SERVICE STATION		
NEW TEAPLE HILL RD. AND ROUTE 32		
NEW VINCENNES, NEW YORK		
FOR		
GASLAND INC., SPRINGFIELD, MASS.		
DR. BY:	MAX GITBERG	DRAWING NO.
SCALE:	ARCHITECT	1
PROJECT:	293 BRIDGE ST.	
DATE:	SPRINGFIELD, MASS.	
PENDING		